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CITY OF WASHINGTON, FRIDAY MORNING, DECEMBER 19, 1851.

CONGRESSIONAL. DEFERRED DEBATE.

MONDAY, DECEMBER 15, 1851

SENATE.

THE COMPROMISE MEASURES.

The Senate proceeded to the consideration of the fol-

ment of this body, entitled to be recognised as a definitive ajustment and settlement of the distracting questions growing cut of the system of donestic slavery, and as such that said measures should be acquiesced in and faithfully observed by all good citizens.

Mr. BUTLER. Mr. President, I am very sorry that this debate has been suspended, because what I would have said last week would have been suid in a very few words, and distinctly in reference to the topic before me. To resume and continue the debate mow will not obviate the incidental injustice to myself and others, occasioned by so long a suspension. I went into the debate last Monday morning unexpectedly—that is to say, I spoke from information acquired only the day before. I had not seen any of the notices in the newspapers of the honorable senator's resolution. I had not learned that they had been proposed in the democratic caucus. Although, in some measure, I might have spoken from information thus acquired, my remarks were made mainly from views which I took of the subject whilst hearing the honorable senator from Mississippi.

While I denounced his proposition as a mode of ratification of the compromise to which I had been opposed, I said not one single word, I made not a single allusion to his own State, or to himself, except, perhaps, of a political character, and that rather by implication than by any distinct expression. He was pleased to say I had come into the debate inops concilis. I came into the word was contending with one who was conducting his movements with the concert and skill of political tacticians. But even regarding him as an organ confining himself to the views and purposes of himself and others, I might have felt little inclination or desire to continue and widen the debate. When, however, the gentleman charged the scope and aim of his remarks, and gave them such a direction that they could not escape myself in connexion with the measures he has brought up for ratification, as a representative of the Newton South Carolina. He

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ay understand my views. The Secretary read the report as follows:

ions and combinations to obstruct the executive laws.

"There are some subjects of the message presented to the consideration of Congress, and which address themselves specially to the consideration of the committee, upon which I feel it a duty to express an opinion, lest by silence there might be a tacit recognition of one of the assumptions and an approbation of some of the recommendations of the message

"Previously to the act of 1807, it seems to have been the implied understanding of all the departments of the government that the President was confised to the militia "to suppress insurrections against the State government and to suppress combinations against the laws of the United States."

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"The act of 1795 indicates the occasions and prescribes the manner in which the militia shall be called out and employed. The President cannot order out the militia to suppress insurrection against the State government, without being called on to do so by the legislative or executive authority of the State concerned.

"To suppress combinations against the laws of the United States, it is thertury of the President to judge of the occasion for calling out the militia. On all occasions for calling out and employing the militia, it was made the duty, by the act referred to, to issue his proclamation as a previous warning to the employment of firce.

"This provision was founded in usage, and has had the sanction of time, trial, and experience. It is but the warning voice of a forbearing government. There might be some occasions when the interval between such warning and the actual employment of force might be of some duration. Other occasions might be such as to require the force to follow in quick succession to the warning of a proclamation might emanate at the same time.

"It seems to have been in contemplation by the act of 1785 to put at the disposal of the President a quasi military posse comitatus of citizen soldiers, to maintain the dominion of the laws, in which they had the interest of citizens it was to make use of one class of citizens to bring another to a rense of justice and a proper submission to the law. I approve its wisdom. An insurrection would be much more easily quelled by the array of neighbors and fellow-citizens than by the employment of a trained and organized army, whose only influence would be the employed in the first case, whilst the other might only be strong enough to provoke collision and end in blood. Whatever might be proving the process.

posed to some of the points of the Compromise when they were under consideration, or he was in favor of them. I do not care which he takes. If he says he was opposed to some one of the propositions involved in the Compromise, he must allow me to take his authority; and if, on that occasion, he denounced and was opposed to it, I have a right at least to expect from him some indulgence toward those who agreed with him on that occasion. If, on the contrary, the gentleman was in favor of the compromises, he surely will not take the position that he was "rowing one way and looking another"—that he gave us his voice by a simple monosyllable of aye or no, when he gave his heart and hand to those who were forcing the measure on. He must take one or the other. He cannot escape it. He was either opposed to the admission of California, and opposed to the abolition of the slave trade in the District of Columbia, or he was in favor of those two measures: for, as regards the fugitive-slave law, of which so much has been said, it was not a part of the original Compromise. I take it that the record must speak upon the subject. Here are his votes; and how does the gentleman stand in the parliamentary mirror? He stands opposed to the admission of California, upon the ground that it was a precedent not to be found in the political history of this country. If I remember aight, at one time he de-

and the deficiency in carrying out the provisions of the constitution, as a deal active. United this into constitution is a deal active. United it is not regarded as treason. It is referred to the State courts. What will be the result? The State courts take introduced the state of the state

rai government! Would not take time to deriverate, as the gentleman says he would, where my allegiance was due. The impulse of my heart, and the dictates of a judgment long and deliberately formed, would mark out my path of duty.

Another of the topics upon which the senator from Mississippi dwelt: He said he would never consent to have the constitution of the United States amended; he would be wanted no amendment to the constitution of

fate of the bill referred to. Did they avoid that vote? of were they absent by accident when the vote was taken? Some of those gentlemen, I know, gave their moral support to the bill; but I state the fact. That it was not unit the bill had gone to the country, and obtained its favorable judgment, as they suppose, that some gentlemen became its open advocates. So much for that.

Now for another complaint and charge which the homorable senator has made, which may apply to myself—that is, denying the President power to enforce the law. It was not unit to the senator has made, which may apply to myself—that is, denying the President power to enforce the law. One of the college who, perhaps, entertains the publication to the Apricalization to the Apricalization to the president power to enforce the law. It was not unit to the control of the senator has made, which may apply to myself—that is, denying the President power to enforce the law. One of the color of the color of the color of the senator has made, which as being the president power to enforce the law. One of the color of the c who look not into the book itself; but those who are capable of appreciating it, and seek after the truth, will wread for themselves, and form an enlightened and honest judgment. It is not true, as the honorable senator has said, that Mr. Calhoun thought there should be two Executives a with the same powers. He is a historian, and he tknows very well that there were two consuls in S. Rome, with a tribune to control them. By a partition of yower, and such control of it by the tribunal veto on occasion, the Roman republic moved on with success and a energy. I presume that Mr. Calhoun might very well have entertained the idea that two Presidents might be levery well—one perhaps having jurisdiction of foreign, and the other of domestic affairs, or some such partition of duties. I presume he intended that each should be independent in his own sphere, and that no law should be opassed without the concurrence of both. I am very sure that such a proposition as that, if ingrafted on the constitution, might give it a better operation than it now has under the combination of interests and numbers. I do not a undertake to be the expounder of Mr. Calhoun's views, nor do I say that I am prepared to adopt them. I am sure the gentleman has not done justice to them. I do not enter into the views of Mr. Calhoun; for he never mentioned the subject to me in his lifetime, and I have to not yet had an opportunity, and I regret it, to read his book. I only noticed the remark of the gentleman, in passing, with a view to show that in some respects his interpretation of the book might not be the interpretion of everybody. There are other minds besides his to be measured, it must be measured by an enlightened public opinion after full discussion upon the subject.

Sir, I have touched upon these things with regret. The senator from Mississippi is in favor of the Compromise; and he denounces, in no measured terms, all those opposed to it; not that the gentleman seems to be governed by unkind feelings to many embraced in the sweep of his ce

gle, I had no censures whatever to bestow; nor that I wished them to be econsured in any shape or form by any patriotic man in the country. The President of this body knows what my views on this subject were, for we have taked together. All that I have said was, that now, when these measures have become the law of the land—now that the great experiment of compromise was in course of trial—I did conceive that it was the duty of all parties, North and South, to make a fair experiment of those measures, and not to engage in violent agitations against any feature of them. I have simply condemned all attempts at the North, or at the South, at this time, to break up the Compromise. But I have never undertaken to condemn any man, or set of men, for decent, zealous, patriotic opposition to any of the measures of adjustment which they themselves disapproved at the time. This is, and always has been, my attitude on that subject.

Mr. BUTLER. That may be; but the gentleman knows as well as any one here that no one had greater influence—perhaps I may say that he had uncommon influence—in getting up the Southern Address; he was the prime mover of it; and I think the gentleman must, to some extent, assume, the responsibility of the Nashville

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One of the leaders of South Carolina, a gentleman will be calculated to be the author of the Nashville Address, declared, as I well recollect, in a speech delivered in Charleston immediately after his return from the Nashville Convention, that he had entertained no expectation when the celebrated demand of 33 deg. 30 min, was made to the first time, what I have heretofore said to my friends know that this was my opinion.

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bers may forward us money by letter, the popaid by us, and all rick assumed by ourselves i

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The name of no person will be entered upon our books unless ti

Mr. FOOTE. I understand my duty as well as the chair can inform me.

Mr. BUTLER. I am inclined to think that injustice fore I think such an allusion as he made was entirely un-

Mr. FOOTE, of Mississippi. I will not now ask the mi. POOTE, of Mississippi. I will not now ask the gentleman to allow me to explain, because I have interrupted him so often. Yet, if it would make no difference to him, I would go on now to explain the attitude of the State of Mississippi.

Mr. BUTLER. The gentleman is at liberty to proceed.

of Mississippi. It is true I signed the Southern Address; and I now approve every word contained therein. It is true, I did forward a letter from Mr. Calhoun to my own State which proposed the holding of the Nashville Convention, and which marked out, to some extent, the then expected modus operandi of that body. It is true, also, as I have heretofore asserted, that not one single word is contained in that Southern Address, or in Mr. Calhoun's letter, which recommends secession, or intimates that there should be any amendment to the constitution. The State of Mississippi was willing to meet, in a proper manner and a truly patriotic spirit, the citizens of the rest of the slaveholding States of this Union in the Nashville Convention, for the purpose of fraternal consulation, in regard to the means most proper to be adopted for guarding against certain dangers with which we were then menaced—one of which was the abolition of slavery in the District of Columbia; another of which was the attempt to impose the Wilmot proviso. I will not reiterate ing against certain dangers with which we were then menaced—one of which was the abolition of slavery in the District of Columbia; another of which was the attempt to impose the Wilmot proviso. I will not reiterate all the measures with which we had been then menaced for some years, and to which the Southern Address, in the most solemn manner, called the attention of the South—to guard against which the State of Mississippi, under advice received from South Carolina, through me, in the manner I have described, was willing to send delegates to a Southern Convention. I will add, though, that it was doubtless one of our objects in this movement to secure our long withheld right to an efficient congressional enactment, providing for the recapture and restoration of fugitives from service. But I reiterate that we did not commit ourselves to secession, nor did we insist on amending the federal constitution.

I will say further to the honorable gentleman that the State of Mississippi, as she was justified in doing, came to the conclusion, gravely and deliberately—and I believe all dispassionate men will admit that she acted wisely in coming to that conclusion—that the plan of compromise effectually guarded against every single danger with which the South had been antecedently menaced, and secured to her the fugitive-slave law, to which she was entitled by the constitution in addition, together with certain other incidental advantages, some of which I endeavored to point out the other day. Now if, in the opinion of the State of Mississippi, the Compromise has operated in a manner so comprehensively beneficial, how can it be contended that the State of South Carolina, when she undertook, witnost just reason, to manifest dissatisfaction with the acts of adjustment, and proposed a southern Congress for the purpose of arraying the southern States against them, was led into that attitude by the State of Mississippi been adopted by the Nashville Convention, the South would have head on further trouble. I believe this advice